

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
v.)	
)	Civ. No. 04-11136 - GAO
DIRECT MARKETING CONCEPTS, INC., et al.,)	
)	
Defendants.)	
)	

**PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION FOR LEAVE
TO FILE REPLY MEMORANDA EXCEEDING PAGE LIMIT**

Plaintiff Federal Trade Commission ("Commission"), respectfully requests leave to exceed the page limit specified in Rule 7.1(b)(4) of the Local Rules in replying to the Defendants' oppositions to the Commission's motion for summary judgment.

In support of its motion, the Commission states that it has made every effort to be concise in presenting the facts and the law necessary to respond to the oppositions filed by (1) Defendants Direct Marketing Concepts, Inc., ITV Direct, Inc., Donald W. Barrett, and Robert Maihos, and (2) Defendants Triad ML Marketing, Inc., King Media, Inc., and Allen Stern, and Relief Defendants Lisa Mount and Steven Ritchey. As the Court is well aware, however, this case involves the marketing and sale of two different products over several years, the use of a deceptive infomercial format and unauthorized autoships by certain defendants. Furthermore, the Defendants have raised legal arguments concerning, *inter alia*, the First Amendment, and the individual liability of corporate officers.

For the Court's convenience, and given the fact that the two groups of defendants submitted separate oppositions to its motion, the FTC is submitting two separate reply memoranda. The Commission's reply to Defendants Direct Marketing Concepts, Inc., ITV Direct, Inc., Donald W. Barrett, and Robert Maihos is 26 pages; its reply to Defendants Triad ML Marketing, Inc., King Media, Inc., and Allen Stern, and Relief Defendants Lisa Mount and Steven Ritchey is 16 pages.

Wherefore, plaintiff respectfully requests that this Court issue an order allowing the Commission to file its reply memoranda in excess of the twenty (20) page limit. For the Court's convenience, a proposed Order is provided.

Respectfully submitted,

/s/ Edward Glennon
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ATTORNEYS FOR PLAINTIFF
Dated: March 3, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 3, 2006.

/s/ Edward Glennon
Edward Glennon